

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

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| IN RE SWISHER HYGIENE, INC. SECURITIES AND DERIVATIVE LITIGATION | § § § MDL DOCKET NO.: 3:12-MD-2384-GCM § § |
| ROBERT HARRIS, | § § § |
| Plaintiff, | § MEMBER CASE DOCKET NO.: § 3:14-cv-2388 |
| v. | § § |
| SWISHER HYGIENE, INC., et al., | § § § |
| Defendants. | § |

**STIPULATION AND ORDER GOVERNING
SERVICE OF COMPLAINT FOR DAMAGES AND OTHER RELIEF, AND EACH
DEFENDANT'S TIME TO ANSWER, MOVE OR OTHERWISE RESPOND**

WHEREAS, on August 13, 2014, the Court approved a proposed stipulation and order pursuant to which, among other things, Defendants did not have to answer, move or otherwise respond to Plaintiff's complaint until 30 days after the Court ruled on the motions to dismiss filed in the member case captioned *Miller, et al. v. Swisher Hygiene, Inc., et al.*, No. 3:14-cv-2387 (W.D.N.C.) ("*Miller*").

WHEREAS, the August 13, 2014 Order provides that the parties reserved their rights to seek modifications of the Order or any other relief upon its expiration.

WHEREAS, on July 8, 2015, the Court ruled on the motions to dismiss filed in *Miller*.

WHEREAS, pursuant to the Court's August 13, 2014 Order, Defendants are required to answer, move or otherwise respond to the complaint by August 7, 2015.

WHEREAS, the parties have reach an agreement to extend Defendants' time to answer, move or otherwise respond to the complaint;

IT IS HEREBY STIPULATED AND AGREED, by and among the parties through the undersigned counsel, subject to the approval of the Court, that:

1. The Defendants do not need to answer, move or otherwise respond to the complaint until September 7, 2015.
2. The parties reserve their rights to seek a modification of this proposed order or any other relief upon expiration of this proposed order.

Respectfully submitted,

s/ Simon M. Lassel
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Attorneys for Defendant Swisher Hygiene, Inc.

Dated: August 6, 2015

SO ORDERED.

Signed: August 6, 2015

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

